

THURSDAY, MARCH 18, 1993

TWENTY-SECOND LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Greg Vick, Steward Creek Church of Christ, Smyrna, Tennessee.

Representative Liles led the House in the Pledge of Allegiance to the Flag.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Callicott; family commitment.

Representative Givens; father's death.

Representative Head; illness.

ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

REPORT OF COMMITTEE ON CALENDAR AND RULES
March 18, 1993

The Calendar and Rules Committee has met and set the following bill(s) on the Regular Calendar for Monday 22, 1993: House Bill(s) No(s). 1594.

THURSDAY, MARCH 18, 1993 -- TWENTY-SECOND LEGISLATIVE DAY

The Committee set the following bills on the Regular Calendar for Wednesday, March 24, 1993: House Bill(s) No(s). 1522, 859, 1105, 1160, 1157, 549, 550, 561 and 452.

The Committee set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, March 22, 1993: House Bill(s) No(s). 878, 970, 967, 935, 1395, 739, 105 and 892.

RESOLUTIONS

Pursuant to Rule No. 17, the following resolution(s) was/were introduced and placed on the Consent Calendar for Monday, March 22, 1993:

House Joint Resolution No. 0132 -- Memorials, Death -- Milton Travis. by *Buck.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to Rule No. 17, the resolution(s) listed was/were noted as being placed on the Consent Calendar for Monday, March 22, 1993:

Senate Joint Resolution No. 0090 -- Memorials, Sports -- Humboldt High School football team.

Senate Joint Resolution No. 0091 -- Memorials, Sports -- Jackson Northside High School football team.

Senate Joint Resolution No. 0092 -- Memorials, Sports -- Bruceton-Hollow Rock High School football team.

Senate Joint Resolution No. 0094 -- Memorials, Sports -- Summertown High School baseball team.

Senate Joint Resolution No. 0095 -- Memorials, Sports -- Battle Ground Academy football team.

Senate Joint Resolution No. 0096 -- Memorials, Personal Achievement -- William Bailey Allen, III, Eagle Scout.

Senate Joint Resolution No. 0097 -- Memorials, Sports -- Southside Saints boys' basketball team.

Senate Joint Resolution No. 0106 -- Memorials, Recognition and Thanks -- Tennessee 4-H Clubs.

RULES SUSPENDED

Rep. Wood moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 99 out of order, which motion prevailed.

THURSDAY, MARCH 18, 1993 -- TWENTY-SECOND LEGISLATIVE DAY

Senate Joint Resolution No. 0099 -- Memorials, Professional Achievement -- Chattanooga Goodwill Industries, Inc., 70th Anniversary.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Wood, the resolution was concurred in.

A motion to reconsider was tabled.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

Senate Joint Resolution No. 0105 -- Naming and Designating -- "Buy America" month, July 1993.

Commerce Committee.

Senate Joint Resolution No. 0107 -- Naming and Designating -- Police Memorial Week, May 10-16, 1993.

State and Local Government Committee.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1614 -- Madison County -- Expands time period for approval of budget; substitutes "county mayor" for "county executive". Amends Chapter 163, Private Acts of 1986, as amended. by *Kisber, *McDaniel.

House Bill No. 1615 -- Lauderdale County -- Confers domestic relations jurisdiction on general sessions court. by *Crain.

House Bill No. 1616 -- Lauderdale County -- Confers probate jurisdiction on general sessions court. by *Crain.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 0362** -- Zoning -- Authorizes notice of county ordinances by publishing summary of ordinance. Amends TCA, Title 13, Ch. 7. (HB 0471).

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 1611 -- Sharon -- Held on Clerk's desk pending approval by local delegation.

House Bill No. 1612 -- Monterey -- Held on Clerk's desk pending approval by local delegation.

House Bill No. 1613 -- Clarksville -- Held on Clerk's desk pending approval by local delegation.

CONSENT CALENDAR

House Joint Resolution No. 0130 -- Memorials, Recognition and Thanks -- Ronnie McDowell.

House Joint Resolution No. 0131 -- Memorials, Public Service -- Earl Freudenberg, National Heritage Award recipient.

Senate Joint Resolution No. 0093 -- Memorials, Heroism -- Jean Lollis Hill.

Senate Joint Resolution No. 0110 -- Memorials, Sports -- Tennessee State University women's basketball team.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 0822 -- Boards and Commissions -- Requires governor to appoint one citizen member to each health related board which does not have citizen member; term shall be same as other members of board to which such person appointed. Amends TCA, Title 63.

Further consideration of House Bill No. 822, previously considered on March 4, 1993, at which time it was reset to the Calendar for March 18, 1993.

Rep. Herron requested that House Bill No. 822 be moved to the heel of the Calendar.

House Bill No. 0676 -- Education, Higher -- Provides for triennial study by THEC of private colleges and universities. Amends TCA, Title 49.

On motion, House Bill No. 676 was made to conform with **Senate Bill No. 572**; the Senate Bill was substituted for the House Bill.

Rep. Purcell moved that **Senate Bill No. 572** be passed on third and final consideration.

Rep. Davidson moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Purcell moved that **Senate Bill No. 572** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

***House Bill No. 0675 -- Surplus Property --** Authorizes state building commission to set maximum fair market value in excess of \$10,000 cap under which commissioner of transportation is authorized to sell properties acquired for rights-of-way to original owners or adjoining property owners. Amends TCA 12-2-112.

Rep. Purcell moved that **House Bill No. 675** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 1535 -- Adoption -- Revises policy for leave for adoptive parents. Amends TCA 8-50-806.

Rep. Purcell moved that **House Bill No. 1535** be passed on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1535 by deleting the period at the end of the second sentence of the amendatory language and substituting therefor the following:

, provided, however, in the event both parents are state employees, the aggregate of sick leave used for such purpose shall be limited to thirty (30) days.

On motion, Amendment No. 1 was adopted.

Rep. Purcell moved that House Bill No. 1535, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

*House Bill No. 0664 -- Human Services, Dept. of -- Empowers commissioner to charge fees for social reports in court actions where abuse or neglect of children is not involved. Amends TCA, Title 71, Ch. 1, Pt. 1.

Rep. Purcell moved that House Bill No. 664 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	91
Noes.	4

Representatives voting aye were: Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Allen, Coffey, Liles, Stockburger -- 4.

A motion to reconsider was tabled.

House Bill No. 0548 -- Banks and Financial Institutions --
Revises provisions concerning safety deposit boxes. Amends TCA 45-2-905, 67-8-418.

Rep. Rhinehart moved that House Bill No. 548 be passed on third and final consideration.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1, seconded by Rep. Rhinehart, as follows:

Amendment No. 1

Amend House Bill No. 548 by deleting the original Section 3 in its entirety, and by renumbering the subsequent section accordingly.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved that House Bill No. 548, as amended, be passed on third and final consideration.

Rep. Rhinehart requested that House Bill No. 548 be moved down 3 places on the Calendar.

***House Bill No. 0234 -- District Attorneys --** Removes \$74,100 cap on salary upon which average percentage pay increase for district attorneys general based. Amends TCA 8-7-105.

Rep. Rhinehart moved that House Bill No. 234 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	68
Noes.	22
Present and not voting.	2

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, Dixon, Ferguson, Fisher, Fowlkes, Halteman Harwell, Hargrove, Haun, Hillis, Huskey, Jackson, Johnson, Jones U (Shelby), Kent, Kernell, Kisber, Love, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Stamps, Stulce, Thompson, Turner (Hamilton), Venable, Walley, West, Williams (Shelby), Williams (Williamson), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 68.

Representatives voting no were: Allen, Arriola, Chiles, Chumney, Coffey, Duer, Gunnels, Haley, Hassell, Herron, Jones R.

THURSDAY, MARCH 18, 1993 -- TWENTY-SECOND LEGISLATIVE DAY

(Shelby), Joyce, Knight, Lewis, Liles, McAfee, Ramsey, Stockburger, Turner (Shelby), Westmoreland, Williams (Union), Wood -- 22.

Representatives present and not voting were: Tindell, Whitson -- 2.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to Rule No. 31, the following member(s) desire to change their original stand from no to aye on House Bill No. 234 and have this statement entered in the Journal: Rep(s). Lewis.

REGULAR CALENDAR, CONTINUED

*House Bill No. 1595 -- Highway Signs -- "Charles L. 'Mr. Charlie' Baggett Memorial Highway," U.S. 41, Greenbrier.

On motion, House Bill No. 1595 was made to conform with Senate Bill No. 1584; the Senate Bill was substituted for the House Bill.

Rep. Davidson moved that Senate Bill No. 1584 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 0548 -- Banks and Financial Institutions -- Revises provisions concerning safety deposit boxes. Amends TCA 45-2-905, 67-8-418.

Further consideration of House Bill No. 548, previously

considered on today's Calendar.

Rep. Rhinehart moved that House Bill No. 548, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	91
Noes.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Liles -- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to Rule No. 31, the following member(s) desire to change their original stand from aye to present and not voting on House Bill No. 548 and have this statement entered in the Journal: Rep(s). West.

REGULAR CALENDAR, CONTINUED

House Bill No. 0966 -- Election Laws -- Requires candidates for state office to file post primary report on October 3 rather than forty-five days after August primary. Amends TCA, Title 2, Ch. 10.

Rep. Kisber moved that House Bill No. 966 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun,

THURSDAY, MARCH 18, 1993 -- TWENTY-SECOND LEGISLATIVE DAY

Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 1202 -- Election Laws -- Requires counties which have computerized voter registration lists to make list available on computer diskette format upon request of any citizen at actual cost to county. Amends TCA 2-2-115, 138.

Rep. Kisber moved that House Bill No. 1202 be passed on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1, seconded by Rep. Kisber, as follows:

Amendment No. 1

Amend House Bill No. 1202 by adding the following language to the first sentence of the amendatory language of Section 1 between the word "available" and the word "on":

, as well as the monthly list of those persons registered as required by this section,

On motion, Amendment No. 1 was adopted.

Rep. Kisber moved that House Bill No. 1202, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herrod, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce,

THURSDAY, MARCH 18, 1993 -- TWENTY-SECOND LEGISLATIVE DAY

Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

***House Bill No. 0352** -- Game and Fish Laws -- Authorizes donation and sale of game and fish lawfully acquired to charitable organizations to conduct fundraising sales. Amends TCA, Title 70.

On motion, House Bill No. 352 was made to conform with Senate Bill No. 650; the Senate Bill was substituted for the House Bill.

Rep. Ridgeway moved that Senate Bill No. 650 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

Representatives present and not voting were: Westmoreland -- 1.

A motion to reconsider was tabled.

***House Bill No. 1531** -- General Assembly, Directed Studies -- Mandates department of labor to prepare a report on employee safety issues in Tennessee.

Rep. Clark moved that House Bill No. 1531 be passed on third and final consideration.

Rep. Clark moved adoption of Consumer and Employees Affairs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1531 by deleting all of the language after the enacting clause and by substituting instead the following new language:

SECTION 1. (a) Notwithstanding any provision of law to the contrary, a convenience store may not be operated unless it installs, or causes to be installed, a protective bullet-resistant enclosure for the safety and security of such store's employees.

(b) The protective bullet-resistant enclosure shall separate the cashier from all areas open to customers of the convenience store. The protective bullet-resistant enclosure shall be UL tested and approved for its resistance to at least a .38 caliber weapon.

(c) For the purposes of this section, "convenience store" means a retail store that carries a limited selection of basic items, such as packaged foods and drugstore items, and is open between the hours of eleven o'clock p.m. (11:00 p.m.) and six o'clock a.m. (6:00 a.m.) and employs during these hours one (1) or more persons other than the owner of the convenience store or the owner's immediate family.

(d) The district attorney may seek to enjoin the operation of any convenience store in violation of the provisions of this act. It is not necessary to prove that there is no adequate remedy at law.

(e) In addition to any other penalty, a violation of this act is a Class C misdemeanor. Each day in violation of this act is a separate offense.

SECTION 2. The provisions of this act shall only apply in counties having a metropolitan form of government and a population of more than one hundred thousand (100,000) according to the 1990 federal census or any subsequent federal census.

SECTION 3. The provisions of this act shall take effect January 1, 1994, the public welfare requiring it, and shall cease to be effective and are hereby repealed January 1, 1995, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Clark moved that House Bill No. 1531, as amended, be passed on third and final consideration.

Rep. Bell moved the previous question, which motion prevailed.

Rep. Clark moved that House Bill No. 1531, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	71
Noes.	12
Present and not voting.	10

Representatives voting aye were: Armstrong, Bell, Brown, Buck, Byrd, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Halteman Harwell, Hargrove, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Kent, Kernell, Kisber, Knight, Lewis, Love, McAfee, McDaniel, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Williams (Union), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 71.

Representatives voting no were: Allen, Arriola, Bittle, Chiles, Hassell, Joyce, Liles, Ramsey, Shirley, Stockburger, Westmoreland, Williams (Shelby) -- 12.

Representatives present and not voting were: Bragg, Brooks, Haley, Haun, McKee, Severance, Stamps, Whitson, Williams (Williamson), Wix -- 10.

A motion to reconsider was tabled.

House Bill No. 0160 -- Courts, Municipal -- Authorizes popular election of municipal court judges with eight year term and fixed salary. Amends TCA, Title 16; Title 38, Ch. 4, Pt. 1; Title 40, Chs. 1, 5.

On motion, House Bill No. 160 was made to conform with Senate Bill No. 66; the Senate Bill was substituted for the House Bill.

Rep. Hargrove moved that Senate Bill No. 66 be passed on third and final consideration.

Rep. Buck moved that Judiciary Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Hargrove moved to adopt Amendment No. 2 as follows:

Amendment No. 2

Amend Senate Bill No. 66 by deleting from subsection (b) of the 5th section added by the amendatory language of Section 1 the figure "99,000" and substituting instead the figure "99,999".

THURSDAY, MARCH 18, 1993 -- TWENTY-SECOND LEGISLATIVE DAY

On motion, Amendment No. 2 was adopted.

Rep. Hargrove moved that Senate Bill No. 66 be reset to the next available space to the Calendar for Wednesday, March 24, 1993, which motion prevailed.

House Bill No. 1255 -- Optometry -- Revises authority of optometrists to treat certain diseases with drugs. Amends TCA 39-17-402, 53-10-101; Title 63, Ch. 8, 68-29-104, 121.

Rep. Hargrove moved that House Bill No. 1255 be passed on third and final consideration.

Rep. Dixon moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1255 by inserting the following new paragraph between the first and second paragraphs of the amendatory language in the original Section 1:

All optometrists practicing in this state are prohibited from using non-diagnostic ophthalmic lasers. All optometrists practicing in this state are also prohibited from performing cataract surgery or any surgical procedure requiring other than a topical anesthetic. All optometrists practicing in this state are also prohibited from performing radial keratotomy.

On motion, Amendment No. 1 was adopted.

Rep. Dixon moved adoption of Health and Human Resources Committee Amendment No. 2 as follows:

Amendment No. 2

Amend House Bill No. 1255 by adding the following language at the end of the amendatory language of Section 2:

Nothing in this act, however, shall be construed as prohibiting the board of optometry from requiring additional education, training or experience of an optometrist before allowing an optometrist to examine, diagnose, manage and treat conditions and diseases of the eye and eyelid authorized by this act.

On motion, Amendment No. 2 was adopted.

Rep. Hargrove moved to adopt Amendment No. 3 as follows:

Amendment No. 3

Amend House Bill 1255 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The commissioner of health shall have the authority to regulate the laboratory practices of optometrists to ensure that such practices are in full compliance with the Clinical Laboratory Improvement Act (CLIA), compiled in 42 USC § 263a.

On motion, Amendment No. 3 was adopted.

Rep. Hargrove moved that House Bill No. 1255, as amended, be passed on third and final consideration.

Rep. Jackson moved the previous question, which motion prevailed.

Rep. Hargrove moved that House Bill No. 1255, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	82
Noes.	12
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bragg, Brooks, Brown, Byrd, Chumney, Clark, Cole (Carter), Cole (Dyer), Collier, Cross, Davidson, Davis, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman, Harwell, Hargrove, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Ridgeway, Rigsby, Rinks, Ritchie, Severance, Shirley, Stamps, Stockburger, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 82.

Representatives voting no were: Allen, Arriola, Buck, Chiles, Coffey, Crain, Duer, Hassell, McAfee, Robinson, Stulce, Williams (Williamson) -- 12.

Representatives present and not voting were: Rhinehart -- 1.

A motion to reconsider was tabled.

House Bill No. 0580 -- Planning, Public -- Exempts from local or regional zoning and planning regulations certain areas from which borrow material is excavated for road work construction projects for state if certain conditions met. Amends TCA, Titles 13, 54.

THURSDAY, MARCH 18, 1993 -- TWENTY-SECOND LEGISLATIVE DAY

On motion, House Bill No. 580 was made to conform with Senate Bill No. 442; the Senate Bill was substituted for the House Bill.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

REGULAR CALENDAR, CONTINUED

Rep. Cole (Dyer) moved that Senate Bill No. 442 be passed on third and final consideration.

Rep. Love moved that State and Local Government Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Love moved that State and Local Government Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Cole (Dyer) moved that Senate Bill No. 442 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	80
Noes.	13

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bragg, Brooks, Buck, Byrd, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones, R (Shelby), Jones U (Shelby), Joyce, Kent, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Owenby, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Shirley, Stockburger, Stulce, Thompson, Turner (Hamilton), Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 80.

Representatives voting no were: Armstrong, Bittle, Brown, Chumney, Halteman, Harwell, Odom, Peroulas, Draper, Ritchie, Severance, Stamps, Tindell, Turner (Shelby), West -- 13.

A motion to reconsider was tabled.

*House Bill No. 0172 -- Taxes, Amusement -- Excludes certain health clubs from payment of amusement tax. Amends TCA 67-6-330.

Rep. Davidson moved that House Bill No. 172 be passed on third and final consideration.

Rep. Davidson moved to adopt Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 172 by deleting in its entirety all the language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 67-6-330(a) is amended by deleting subdivision (19) in its entirety, and by substituting instead the following language:

(19) Dues, membership application fees, admission fees, contributions or rental charges for equipment paid to any corporation or enterprise which offers on a regular full-time basis services or facilities for the development or preservation of physical fitness through exercise or athletics; provided that such corporation or enterprise claiming this exemption shall meet each of the following conditions in order to qualify for such exemption:

(A) Must have at least one full-time employee certified in administering health assessments, or at least one full-time employee licensed by the state that represents a medical and/or paramedical discipline;

(B) Must be open at least seventy (70) hours per week;

(C) Must permit participation by each member each day in operation;

(D) Must have at least fifteen thousand square feet (15,000 sq. ft.) in use for physical fitness purposes; and

(E) Must offer three (3) or more of the following programs and/or activities:

(i) Health assessments which include blood chemistry and urinalysis;

(ii) Racquetball;

(iii) Exercise equipment;

(iv) Track or swimming; and

(v) Aerobics.

Before any corporation or enterprise can be exempted under this provision, the department of revenue shall, based upon information supplied by the person claiming such exemption, approve such exemption. The exemption provided

in this subdivision shall not apply, however, to establishments listed under Industry 7992 and Industry 7997 of the Standard Industrial Classification Index of 1987, prepared by the office of management and budget of the federal government;

SECTION 2. This act shall take effect July 1, 1993, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Davidson moved that House Bill No. 172, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	78
Noes	8

Representatives voting aye were: Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brown, Buck, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Cross, Davidson, Davis, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Hargrove, Hassell, Haun, Hillis, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Severance, Shirley, Stockburger, Thompson, Turner (Hamilton), Turner (Shelby), Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 78.

Representatives voting no were: Brooks, Byrd, Haley, Halteman, Harwell, Herron, Stulce, Tindell, West -- 8.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to Rule No. 31, the following member(s) desire to change their original stand from not voting to no on House Bill No. 172 and have this statement entered in the Journal: Rep(s). Stamps.

REGULAR CALENDAR, CONTINUED

*House Joint Resolution No. 0018 -- General Assembly, Directed Studies -- Directs Department of Transportation to study feasibility of widening certain segment of SR 100 to four lanes.

Rep. Jackson moved that House Joint Resolution No. 18 be adopted.

Rep. Robinson moved adoption of Transportation Committee

Amendment No. 1 as follows:

Amendment No. 1

AMEND House Joint Resolution No. 18 by deleting the word "directing" in the caption and substituting the words "strongly urging".

AND FURTHER AMEND by deleting from the first resolving clause the word "directed" and by substituting the words "strongly urged".

On motion, Amendment No. 1 was adopted.

Rep. Jackson moved that House Joint Resolution No. 18, as amended, be adopted, which motion prevailed by the following vote:

Ayes.	85
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, Meyer, Miller, Mires, Moore, Napier, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 85.

A motion to reconsider was tabled.

House Bill No. 0575 -- County Officers -- Requires county executive to appoint county executive pro tempore if county executive absent. Amends TCA, Title 5, Chs. 5, 6.

Rep. Jackson moved that House Bill No. 575 be reset one week to the Calendar for March 25, 1993, which motion prevailed.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

House Bill No. 0869 -- Traffic Safety -- Requires horse drawn vehicles used on highways to be equipped with strobe light on top.

THURSDAY, MARCH 18, 1993 -- TWENTY-SECOND LEGISLATIVE DAY

Amends TCA, Title 55, Ch. 9, Pt. 4.

Further consideration of House Bill No. 869, previously considered on March 10 and 17, 1993, at which time the House adopted Amendments Nos. 1, 2 and 3, then reset the bill to the Calendar for March 18, 1993.

Rep. Jackson requested that House Bill No. 869 be moved down 1 place on the Calendar.

***House Bill No. 1094 -- Motor Vehicles, Titling and Registration**
-- Authorizes issuance of special license plates to bear "Helping Schools" logo; proceeds from such plates to provide for school equipment and supplies. Amends TCA, Title 55, Ch. 4.

Further consideration of House Bill No. 1094, previously considered on March 17, 1993, at which time the House adopted Amendment No. 1 and reset the bill to the Calendar for March 18, 1993.

Rep. Moore moved that House Bill No. 1094, as amended, be passed on third and final consideration.

Rep. Williams (Union) moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Jackson moved to adopt Amendment No. 3 as follows:

Amendment No. 3

Amend House Bill No. 1094 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Notwithstanding any provision of this act or law to the contrary in lieu of the special plates provided by this act, owners or lessees of motor vehicles may be issued a special decal for the windshield of such motor vehicles containing the logo "Helping Schools". All other provisions of this act concerning issuance of special license plates including the payment of the special fee as provided in Section 55-4-203 shall apply to the special decal.

On motion, Amendment No. 3 was adopted.

Rep. Moore moved to adopt Amendment No. 4 as follows:

Amendment No. 4

Amend House Bill No. 1094 by deleting the words "the sale of special plates" from the original Section 4 and by substituting instead the words "the fee paid pursuant to Section

55-4-203 for the sale of special plates".

On motion, Amendment No. 4 was adopted.

Rep. Winningham moved to adopt Amendment No. 5 as follows:

Amendment No. 5

Amend House Bill No. 1094 by deleting the last sentence of Section 4 in its entirety and by substituting instead the following:

Proceeds shall be distributed to the local education agency according to the average daily attendance of schools which serve the counties in which such proceeds were generated.

On motion, Amendment No. 5 was adopted.

Rep. Moore moved that House Bill No. 1094, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Gross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

House Bill No. 0869 -- Traffic Safety -- Requires horse drawn vehicles used on highways to be equipped with strobe light on top. Amends TCA, Title 55, Ch. 9, Pt. 4.

Further consideration of House Bill No. 869, previously considered on today's Calendar.

Rep. Moore moved that House Bill No. 869, as amended, be passed on third and final consideration.

THURSDAY, MARCH 18, 1993 -- TWENTY-SECOND LEGISLATIVE DAY

Rep. Odom requested that Amendment No. 4 be moved to the heel of the Amendments.

Rep. Allen moved to adopt Amendment No. 5 as follows:

Amendment No. 5

Amend House Bill No. 869 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section ____ The provisions of this act shall not apply in any county having a population of not less than 92,200 nor more than 92,500 according to the 1990 federal census or any subsequent federal census.

On motion, Amendment No. 5 was adopted.

Rep. Gunnels moved that Amendment No. 6 be withdrawn, which motion prevailed.

Rep. Williams (Shelby) moved to adopt Amendment No. 7 as follows:

Amendment No. 7

AMEND House Bill No. 869 by deleting from the first clause of Section 1 the words "at night" and substituting instead "during the period from one-half (1/2) hour after sunset to one-half (1/2) before sunrise".

AND FURTHER AMEND by deleting the second sentence of Section 1(2) and by substituting instead the following:

Any horse drawn implement that is used for a specific agriculture practice is not required to comply with these requirements, but shall not be on the public roads during the period from one-half (1/2) hour after sunset until one-half (1/2) hour before sunrise.

On motion, Amendment No. 7 was adopted.

Rep. Gunnels moved to adopt Amendment No. 8, which motion failed for lack of a second.

Rep. McKee requested that Amendment No. 9 be moved to the heel of the Amendments.

Rep. Venable requested that Amendment No. 10 be moved to the heel of the Amendments.

Rep. Armstrong moved that Amendment No. 11 be withdrawn, which motion prevailed.

Rep. Williams (Union) moved to adopt Amendment No. 12 as follows:

Amendment No. 12

Amend House Bill No. 869 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in counties having a population, according to the 1990 federal census or any subsequent federal census of:

<u>not less than</u>	<u>nor more than</u>
26,100	26,400
17,000	17,200
13,680	13,750

On motion, Amendment No. 12 was adopted.

Rep. Moore moved to adopt Amendment No. 13 as follows:

Amendment No. 13

Amend House Bill No. 869 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall only apply to persons who use horse drawn vehicles as their primary mode of transportation for noncommercial purposes.

On motion, Amendment No. 13 was adopted.

Rep. Owenby moved that Amendment No. 14 be withdrawn, which motion prevailed.

Rep. Windle moved that Amendment No. 15 be withdrawn, which motion prevailed.

Rep. Rhinehart moved to adopt Amendment No. 16 as follows:

Amendment No. 16

Amend House Bill No. 869 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in counties having a population, according to the 1990 federal census or any subsequent federal census of:

<u>not less than</u>	<u>nor more than</u>
34,735	34,800
24,100	24,400

Section _____. The provisions of this act shall not apply to any county of the eighth (8th) class as defined by Tennessee Code Annotated, Section 8-24-101.

On motion, Amendment No. 16 was adopted.

Rep. Odom moved to adopt Amendment No. 4 as follows:

Amendment No. 4

Amend House Bill No. 869 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in any county having a population of not less than 42,200 nor more than 42,500 according to the 1990 federal census or any subsequent federal census.

On motion, Amendment No. 4 was adopted.

Rep. McKee moved that Amendment No. 9 be withdrawn, which motion prevailed.

Rep. Venable moved to adopt Amendment No. 10 as follows:

Amendment No. 10

Amend House Bill No. 869 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in counties having a population, according to the 1990 federal census or any subsequent federal census of:

<u>not less than</u>	<u>nor more than</u>
13,760	13,900
140,000	145,000

On motion, Amendment No. 10 was adopted.

Rep. Windle moved to adopt Amendment No. 17 as follows:

Amendment No. 17

Amend House Bill No. 869 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in counties having a population, according to the

1990 federal census or any subsequent federal census of:

<u>not less than</u>	<u>nor more than</u>
14,650	15,000
17,600	18,000
17,250	17,550

On motion, Amendment No. 17 was adopted.

Rep. Moore moved that House Bill No. 869, as amended, be passed on third and final consideration.

Rep. Allen moved that House Bill No. 869 be re-referred to the Transportation Committee.

Rep. Moore moved to table the motion to re-refer, which motion prevailed by the following vote:

Ayes.	49
Noes.	40
Present and not voting.	3

Representatives voting aye were: Armstrong, Arriola, Bell, Bragg, Brown, Buck, Byrd, Clark, Cole (Carter), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Ferguson, Garrett, Gunnels, Hargrove, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Kisber, Lewis, McDaniel, McKee, Miller, Moore, Napier, Odom, Peroulas Draper, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Rigsby, Ritchie, Robinson, Tindell, Turner (Hamilton), Turner (Shelby), Whitson, Windle, Winningham, Mr. Speaker Naifeh -- 49.

Representatives voting no were: Allen, Anderson, Bittle, Brooks, Chumney, Coffey, Cole (Dyer), Duer, Fowlkes, Haley, Halteman, Harwell, Hassell, Herron, Kent, Knight, Liles, Love, McAfee, Meyer, Mires, Owenby, Phelan, Pruitt, Ramsey, Rinks, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Venable, Walley, West, Westmoreland, Williams (Shelby), Williams (Union), Williams (Williamson), Wix, Wood -- 40.

Representatives present and not voting were: Fisher, Haun, Joyce -- 3.

Rep. Moore moved that House Bill No. 869, as amended, be passed on third and final consideration.

Rep. Buck moved the previous question, which motion prevailed.

Rep. Moore moved that House Bill No. 869, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	57
Noes.	23
Present and not voting.	12

Representatives voting aye were: Armstrong, Arriola, Bell, Bittle, Brown, Buck, Byrd, Clark, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Ferguson, Garrett, Gunnels, Hargrove, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Lewis, Love, McDaniel, McKee, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Ridgeway, Rigsby, Rinks, Ritchie, Severance, Thompson, Tindell, Turner (Shelby), Whitson, Williams (Shelby), Windle, Winningham, Mr. Speaker Naifeh -- 57.

Representatives voting no were: Allen, Anderson, Bragg, Brooks, Chumney, Fisher, Fowkes, Haley, Halteman Harwell, Hassell, Herron, McAfee, Meyer, Purcell, Robinson, Shirley, Stamps, Stockburger, Stulce, Walley, Williams (Union), Williams (Williamson), Wood -- 23.

Representatives present and not voting were: Duer, Haun, Knight, Liles, Pruitt, Ramsey, Rhinehart, Turner (Hamilton), Venable, West, Westmoreland, Wix -- 12.

A motion to reconsider was tabled.

House Bill No. 0701 -- Banks and Financial Institutions -- Establishes compliance with federal law to be sufficient to compliance with state law relating to disclosure of information in connection with deposit accounts. Amends TCA 45-2-618.

Further consideration of House Bill No. 701, previously considered on March 17, 1993, at which time it was reset to the Calendar for March 18, 1993.

On motion, House Bill No. 701 was made to conform with Senate Bill No. 230; the Senate Bill was substituted for the House Bill.

Rep. Gunnels moved that Senate Bill No. 230 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle,

Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: West -- 1.

A motion to reconsider was tabled.

***Senate Bill No. 0140 -- Election Laws --** Allows nonpartisan municipal elections unless municipality's charter permits for partisan elections; allows partisan municipal election nominations. Amends TCA, Title 2, Ch. 13, Pt. 2.

Further consideration of Senate Bill No. 140, previously considered on March 15 and 17, 1993, at which time it was substituted for House Bill No. 921, and reset to the Calendar for March 18, 1993.

Rep. Kisber moved that Senate Bill No. 140 be passed on third and final consideration.

Rep. Kisber moved to adopt Amendment No. 1 as follows:

Amendment No. 1

Amend Senate Bill No. 140 by deleting the new sentence added at the end of Section 1 by Senate Amendment No. 1, and by substituting instead the following language:

In any county having a metropolitan form of government the election of the chief executive officer and the members of the legislative body of such metropolitan government shall be considered to be municipal elections within the meaning of this act; however the provisions of this act shall not be construed to require a partisan election for any other officers of the metropolitan government if the charter of such metropolitan government provides that elections for such officers shall be non-partisan.

On motion, Amendment No. 1 was adopted.

Rep. Kisber moved that Senate Bill No. 140, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love,

McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

House Joint Resolution No. 0128 -- Memorials, Public Service -- Rotary International District 6780 of Tennessee and 9300 of South Africa.

Further consideration of House Joint Resolution No. 128, previously considered on March 17, 1993, at which time it was objected to on the Consent Calendar and reset to the Regular Calendar for March 18, 1993.

Rep. Coffey moved that House Joint Resolution No. 128 be adopted, which motion prevailed by the following vote:

Ayes.	83
Noes.	6

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Bragg, Brown, Buck, Byrd, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Mires, Moore, Napier, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Severance, Shirley, Stamps, Stockburger, Stulce, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 83.

Representatives voting no were: Armstrong, Brooks, Dixon, Jones U (Shelby), Ritchie, Thompson -- 6.

A motion to reconsider was tabled.

House Bill No. 0822 -- Boards and Commissions -- Requires governor to appoint one citizen member to each health related board which does not have citizen member; term shall be same as other members of board to which such person appointed. Amends TCA, Title 63.

Further consideration of House Bill No. 822, previously considered on today's Calendar.

On motion, House Bill No. 822 was made to conform with Senate Bill No. 664; the Senate Bill was substituted for the House Bill.

Rep. Herron moved that Senate Bill No. 664 be passed on third and final consideration.

Rep. Kernell moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

Amend Senate Bill No. 664 by adding the following section to immediately precede the effective date section and by renumbering the effective date section accordingly:

SECTION ____ (a) Tennessee Code Annotated, Section 63-3-103(b), is amended by deleting the language "shall appoint three (3) persons" and by substituting instead the language "shall appoint four (4) persons".

(b) Tennessee Code Annotated, Section 63-3-103(b), is further amended by deleting the following language and punctuation from the second sentence:

, and the term of one (1) member shall expire each year

On motion, Amendment No. 1 was adopted.

Rep. Herron moved to adopt Amendment No. 2 as follows:

Amendment No. 2

Amend Senate Bill No. 664 by adding the following language at the end of the amendatory language of Section 1:

Notwithstanding the provisions of the travel regulations promulgated by the department of finance and administration and approved by the attorney general to the contrary, no citizen member shall be reimbursed for air travel.

On motion, Amendment No. 2 was adopted.

Rep. Herron moved that Senate Bill No. 664, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong,

Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stutce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: Rhinehart -- 1.

A motion to reconsider was tabled.

House Bill No. 0578 -- Financial Disclosure -- Authorizes registry of election finance to consider factors including, but not limited to, mistake, inadvertence, surprise, or excusable neglect, before assessing any penalty. Amends TCA, Title 2, Ch. 10, Pt. 2.

Further consideration of House Bill No. 578, previously considered on today's Calendar.

Rep. Jackson moved that House Bill No. 578 be passed on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 578 by deleting the amendatory language of Section 1 and by substituting instead the following language:

(b) In determining whether a violation has occurred, the registry shall grant relief to a person if the alleged violation has occurred, based on factors, including but not limited to, mistake, inadvertence, surprise or excusable neglect.

Rep. Kisber moved adoption of Amendment No. 1 to Amendment No. 1, seconded by Rep. Jackson, as follows:

Amendment No. 1 to Amendment No. 1

Amend House Bill No. 578 by deleting from the amendatory language of Section 1, as amended, the word "shall" and by substituting instead the word "may".

Rep. Fisher moved the previous question on Amendment No. 1 to Amendment No. 1, which motion prevailed.

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

On motion, Amendment No. 1, as amended, was adopted.

Rep. U. Jones moved to adopt Amendment No. 2 as follows:

Amendment No. 2

Amend House Bill No. 578 by adding the following to be designated as Section 2 and by renumbering the remaining section accordingly:

Section 2. The registry shall review all past assessments and penalties prior to the effective date of this act and shall determine whether those acts giving rise to the assessment or penalty constituted an actual violation or whether the assessments or penalties were based upon factors, including, mistake, inadvertence, surprise or excusable neglect. In the event any discrepancy is found by the registry, the candidate shall have no less than thirty (30) nor more than forty-five (45) days from the date the discrepancy is discovered to address or rectify the discrepancy during which time the registry shall be prohibited from notifying the news media or any other persons outside the registry.

Amendment No. 2 failed to be adopted by the following vote:

Ayes.	38
Noes.	40
Present and not voting.	6

Representatives voting aye were: Allen, Armstrong, Arriola, Bittle, Brooks, Brown, Crain, Davidson, DeBerry, Dixon, Duer, Ferguson, Fisher, Gunnels, Hillis, Jones R (Shelby), Jones U (Shelby), Joyce, Kernell, Knight, McAfee, McDaniel, Miller, Mires, Moore, Napier, Pinion, Pruitt, Ramsey, Shirley, Stulce, Thompson, Turner (Shelby), Venable, Walley, Westmoreland, Williams (Union), Wix -- 38.

Representatives voting no were: Anderson, Buck, Byrd, Chumney, Glark, Coffey, Cole (Carter), Cole (Dyer), Collier, Fowlkes, Halteman Harwell, Hargrove, Haun, Herron, Jackson, Johnson, Kent, Kisber, McKee, Meyer, Odom, Owenby, Peroulas Draper, Phillips, Purcell, Ridgeway, Rinks, Ritchie, Robinson, Stamps, Stockburger, Tindell, Turner (Hamilton), West, Williams (Shelby), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 40.

Representatives present and not voting were: Bragg, Cross, Haley, Lewis, Liles, Love -- 6.

Rep. U. Jones moved to adopt Amendment No. 3 as follows:

Amendment No. 3

Amend House Bill No. 578 by adding the following to be designated as Section 2 and by renumbering the remaining section accordingly:

Section 2. The registry shall review all past assessments and penalties prior to the effective date of this act and shall determine whether those acts giving rise to the assessment or penalty constituted an actual violation or whether the assessments or penalties were based upon factors, including, mistake, inadvertence, surprise or excusable neglect. The registry shall reimburse to the candidate all assessments or penalties paid based upon such factors.

Amendment No. 3 failed to be adopted by the following vote:

Ayes	18
Noes	67
Present and not voting	3

Representatives voting aye were: Armstrong, Arriola, Brooks, Brown, DeBerry, Dixon, Duer, Fisher, Herron, Jones R (Shelby), Jones U (Shelby), Kernell, Miller, Mires, Napier, Pruitt, Thompson, Turner (Shelby) -- 18.

Representatives voting no were: Allen, Anderson, Bittle, Bragg, Buck, Byrd, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Davidson, Fowkes, Garrett, Gunnels, Haley, Halteman, Harwell, Hargrove, Haun, Hillis, Jackson, Johnson, Joyce, Kent, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Stamps, Stockburger, Stulce, Tindell, Turner (Hamilton), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wood -- 67.

Representatives present and not voting were: Cross, Ferguson, Wix -- 3.

Rep. U. Jones moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Jackson moved that House Bill No. 578, as amended, be passed on third and final consideration.

Rep. Buck moved the previous question, which he then withdrew.

Rep. Rhinehart moved the previous question, which motion prevailed.

Rep. Jackson moved that House Bill No. 578, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 0266 -- Motor Vehicles, Titling and Registration -- Authorizes elected municipal court judges to receive one additional license plate for a fee of \$25.00. Amends TCA, Title 55, Ch. 4.

Senate Amendment No. 1

Amend House Bill No. 266 by deleting the effective date section and by substituting instead the following:

Section _____. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Robinson moved that the House concur in Senate Amendment(s) No(s). 1 to House Bill No. 266, which motion prevailed by the following vote:

Ayes	93
Noes	0
Present and not voting	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross,

Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Ritchie -- 1.

A motion to reconsider was tabled.

*House Joint Resolution No. 0032 -- Highway Signs -- "Dottie West Memorial Highway," SR 56 in Warren County.

Senate Amendment No. 1

AMEND House Joint Resolution No. 32 by deleting the third resolving clause of the printed resolution in its entirety and by substituting instead the following new language:

BE IT FURTHER RESOLVED, That a copy of this resolution be transmitted to the Commissioner of Transportation and to the County Executive and County Clerk of Warren County.

Rep. Hillis moved that the House concur in Senate Amendment(s) No(s). 1 to House Joint Resolution No. 32, which motion prevailed by the following vote:

Ayes.	92
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

THURSDAY, MARCH 18, 1993 -- TWENTY-SECOND LEGISLATIVE DAY

UNFINISHED BUSINESS

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to Rule No. 59, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Monday, March 22, 1993:

House Bill No. 345: Rep. Rhinehart.

BILLS WITHDRAWN

On motion of Rep. Coffey, House Bill No. 1240 was recalled from the State and Local Government Committee and withdrawn from the House.

On motion of Rep. Winningham, House Bill No. 934 was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. Winningham, House Bill No. 1027 was recalled from the Finance, Ways and Means Committee and withdrawn from the House.

SPONSORS ADDED

Under Rule No. 43, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 213: Rep(s). Tindell as prime sponsor(s).

House Bill No. 529: Rep(s). Bell as prime sponsor(s).

House Bill No. 822: Rep(s). Jackson and McDaniel as prime sponsor(s).

House Bill No. 830: Rep(s). Tindell as prime sponsor(s).

House Bill No. 832: Rep(s). Tindell as prime sponsor(s).

House Bill No. 1148: Rep(s). Armstrong as prime sponsor(s).

House Bill No. 1532: Rep(s). Tindell as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep. Walley was removed as sponsor of House Bill No. 1059.

On motion, Reps. Peroulas Draper and Allen were removed as sponsors of House Bill No. 1522.

THURSDAY, MARCH 18, 1993 -- TWENTY-SECOND LEGISLATIVE DAY

REPORT OF CHIEF ENGROSSING CLERK

March 18, 1993

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 683 and 684; also, House Joint Resolution(s) No(s). 21, 31, 33, 35 and 36.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 18, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 666 and 685; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

March 18, 1993

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 234, 548, 664, 675, 966, 1202, 1531 and 1535; also, House Joint Resolution(s) No(s). 130 and 131.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 18, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 643; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 18, 1993

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 16, 116 and 118; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 18, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate

THURSDAY, MARCH 18, 1993 -- TWENTY-SECOND LEGISLATIVE DAY

Joint Resolution(s) No(s). 53; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Joint Resolution No. 0053 -- General Assembly -- Creates joint legislative committee to study laws relative to voter registration and absentee voting. by *Crutchfield, *Crowe, *Rochelle, McNally.**

**MESSAGE FROM THE SENATE
March 18, 1993**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 62, 159, 160, 219, 439, 481, 497, 567, 599, 635, 740, 887, 909, 921, 1182 and 1237; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 0062 -- Medical Occupations -- Requires each applicant for full licensure as respiratory care therapist to complete approved respiratory care educational program; establishes certificate program for respiratory equipment delivery technicians. Amends TCA, Title 63, Ch. 6, Pt. 4. by *Rochelle, McKnight.**

***Senate Bill No. 0159 -- Hospitals and Health Care Facilities -- Requires CON for extracorporeal lithotripsy and magnetic resonance imaging; lowers threshold amount for acquisition of major medical equipment; exempts replacement of same or similar equipment or upgrade of equipment; imposes civil monetary penalties. Amends TCA, Title 68, Ch. 11, Pt. 1, 68-11-106. by *Albright, *Hamilton, McKnight.**

***Senate Bill No. 0160 -- Hospitals and Health Care Facilities -- Revises Tennessee Health Planning and Resource Development Act of 1987. Amends TCA, Title 68, Ch. 11, Pt. 1, 68-11-102, 104--106, 108, 114, 115, 107, 109. by *Albright, *Hamilton, McKnight.**

***Senate Bill No. 0219 -- Motor Vehicles -- Authorizes law enforcement officers to inspect vehicles on parking lots and in public garages for proper registration and licensing. Amends TCA, Title 55, Ch. 10, Pt. 3. by *Kyle, Henry, Person.**

***Senate Bill No. 0439 -- Divorce and Annulment -- Permits modification of rehabilitative alimony award upon showing of substantial and material change of circumstances. Amends TCA 36-5-101. by *McKnight.**

***Senate Bill No. 0481 -- Process, Service of -- Authorizes county clerks to appoint persons to serve process when petitioned by local attorneys; provides for manner of appointment and duties of process servers. Amends TCA 8-8-108. by *Ford.**

***Senate Bill No. 0497 -- Highways, Roads and Bridges -- Expands definition of "street" and "street improvements" for municipal aid**

THURSDAY, MARCH 18, 1993 -- TWENTY-SECOND LEGISLATIVE DAY

funds; revises eligibility of city or county to receive certain revenues from gasoline tax based on appropriation and allocation of funds for road purposes on average of certain number of years. Amends TCA, Title 54, Ch. 4; Title 67, Ch. 3. by *Hamilton.

***Senate Bill No. 0567 -- Criminal Offenses --** Creates offense of reckless homicide; clarifies offense of aggravated assault. Amends TCA, Title 39, Ch. 13, Pt. 2. by *Kyle.

***Senate Bill No. 0599 -- Election Laws --** Revises election law. Amends TCA, Title 2, 5-8-102, 49-2-504, 57-4-103. by *Rochelle.

***Senate Bill No. 0635 -- Financial Institutions, Dept. of --** Exempts bonds issued for the purpose of refinancing from the two year repayment requirement. Amends TCA 48-3-301. by *Harper.

***Senate Bill No. 0740 -- Water Pollution and Water Resources --** Revises Watershed District Act of 1955; revises audit provisions of watershed districts. Amends TCA 69-7-142. by *Henry.

***Senate Bill No. 0887 -- Zoning --** Authorizes county legislative body to arrange terms of zoning board so that no member's term exceeds five years. Amends TCA 13-7-106. by *McNally, *Atchley, *Gilbert.

***Senate Bill No. 0909 -- Telecommunications --** Enacts "Cellular Mobile Radio Communication Act of 1993". by *Cohen, *McKnight.

***Senate Bill No. 0921 -- Personnel Recruiting Services --** Removes requirement for registration for employers who contract for outplacement services from single source and fully pay for services. Amends TCA 62-31-102. by *Koella.

***Senate Bill No. 1182 -- Real Estate Agents and Brokers --** Requires that applicant for affiliate real estate broker's license have high school diploma or GED; requires that all affiliate brokers complete 30 hours of educational courses within one year of obtaining license. Amends TCA 62-13-303. by *Koella, *Person.

***Senate Bill No. 1237 -- Taxes, Motor Vehicle --** Enacts "Motor Carrier and Tax Administration Act of 1993". Amends TCA, Title 55, Ch. 4, Pt. 1; Title 55, Ch. 6, Pt. 1; Title 67, Ch. 1, Pt. 8; Title 67, Ch. 3, Pt. 7. by *Rochelle, *Crowe, *Crutchfield.

ENGROSSED BILLS

March 18, 1993

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 172, 578, 869, 1094 and 1255; also, House Joint Resolution(s) No(s). 18 and 128.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

THURSDAY, MARCH 18, 1993 -- TWENTY-SECOND LEGISLATIVE DAY

CONSENT CALENDAR
Monday, March 22, 1993

The following local bills have been placed on the Consent Calendar for Monday, March 22, 1993: House Bill(s) No(s). 1611, 1612 and 1613.

ROLL CALL

The roll call was taken with the following results:

Present 94

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bragg, Brooks, Brown, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

On motion of Rep. Purcell, the House recessed until 5:00 p.m., Monday, March 22, 1993.